**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| In re Patent Application of | **MAIL APPEAL BRIEF** |
| Shibata, Koichi et al. | Group Art Unit: 2625 |
| Application No.: 10/772,436 | Examiner: Milia, Mark R |
| Filed: February 6, 2004 | Confirmation No.: 6119 |
| For: Image Processing Apparatus for Receiving a Request Relating to Image | |

**REPLY BRIEF**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Reply Brief is being filed in response to points of argument raised in the Examiner's Answer dated August 17, 2011.

Appellants argued in the Appeal Brief that Mihira fails to disclose a combination wherein "the external API program includes a second API for receiving a third request relating to image processing from an external source, converts the received third request to a command supported by the first API, and passes the command as the first request to the control layer, bypassing the one or more application programs of the application group stored in the application layer," as recited in claim 1. See the Appeal Brief, for example, page 13, the last full paragraph - page 14, the first paragraph.

In the Examiner's Answer, it is asserted that in Mihira, "[t]he request to print a document is received by an API program NCS 31 and a second API httpd 121 converts the request into a ticket acquisition request, based on the initially received XML and SOAP request from the network apparatus 100, and send the ticket request to printing service 130 which is located in the control layer 9 (para 92)." See

the Examiner's Answer: page 17, the first paragraph. Appellants submit that the Examiner's interpretation of Mihira is clearly erroneous.

The Examiner asserts that in Mihira a request to print is converted and sent to the printing service 130 that is located in the control layer 9.

Mihira clearly discloses that the composite machine 1 shown includes the two service functions (SFs) 28, one of which acts as a printing service 130. See Mihira: paragraphs 0060 and 0062. Contrary to the Examiner's assertion that the printing service 130 is located in the control layer 9, Fig. 1 of Mihira illustrates that the SFs 28, including the printing service 130, are located is in the application layer 5.

The Examiner has focused the discussion of Mihira to Fig. 1 in the detailed reasons for rejections. See the Office Action dated March 1, 2011, pages 4-6. In response to Appellants' detailed analysis of Fig. 1 of Mihira, the Examiner focused the discussion of Mihira on Fig. 3 in the Examiner's Answer. However, both Fig. 1 and Fig. 3 of Mihira clearly show that a request, e.g., a request to print, cannot reach the control layer 9 including a network control service (NCS) 31, a delivery control service (referred to as a DCS) 32, an operation panel control service (OCS) 33, a facsimile control service (FCS) 34, an engine control service (ECS) 35, a memory control service (MCS) 36, a user information control service (referred to as a UCS) 37, a system control service (SCS) 38, without using the service functions (SF 28 or WSF 27) or other application in the application layer 5. On the contrary, claim 1 recites a combination wherein "the external API program includes a second API for receiving a third request relating to image processing from an external source, converts the received third request to a command supported by the first API, and passes the command as the first request to the control layer, bypassing the one or

more application programs of the application group stored in the application layer."

The above-recited features of claim 1 are clearly not disclosed in Mihira.

In view of the foregoing, reversal of the final rejection and allowance of all claims are in requested.

For any of the Examiner's remarks in the Answer that are not specifically addressed herein, Appellants rely on the arguments in the Appeal Brief, which is hereby incorporated by reference in its entirety.

Respectfully submitted,

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Date: October 17, 2011

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